

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DONALD and MARY THORNTON,)

Plaintiffs,)

vs.) Case No.: 2:06-cv-1072

ROLLIN VAUGHN SOWARDS and,)

PROGRESSIVE INSURANCE CO.,)

Defendants.

**DEFENDANT'S OBJECTION TO
PLAINTIFFS' NOTICE OF DEPOSITION**

COMES NOW THE DEFENDANT, Rollin Vaughn Sowards, and in Response to the Plaintiffs' Notice of Deposition of Rollin Vaughn Sowards, previously filed, hereby files his Objection to said Notice and state as follows:

1. The Plaintiffs filed their Notice of Deposition of Rollin Vaughn Sowards, with this Court on Friday, September 28, 2007.

2. The Defendant was not given the opportunity to coordinate the deposition of Rollin Vaughn Sowards with opposing counsel, and, therefore, said deposition notice should be quashed.

3. Counsel for Defendant is not available on the date said deposition was noticed for, Thursday, October 4, 2007.

4. Defendant, Rollin Vaughn Sowards, is located in Tennessee and therefore, is not available for deposition on such short notice.

5. The deposition of the Defendant, Rollin Vaughn Sowards, must be rescheduled due to the above.

RESPECTFULLY DONE AND SUBMITTED, this the 3rd day of October, 2007.

/s/ Richard E. Crum, Esq.

Richard E. Crum, Esq.

Attorney for Defendant,
Rollin Vaughn Sowards

OF COUNSEL
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CERTIFICATE OF SERVICE

I hereby certify I have this date forwarded a copy of the foregoing via electronic mail, and if unavailable to receive electronic transmissions, via U.S. Mail, postage prepaid and properly addressed to the following:

Alex Holtsford, Esq.
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This the 3rd day of October, 2007.

/s/ Richard E. Crum, Esq.

Of Counsel